

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:09CV12-RLV-DSC**

**ROBERT L. REININGER,**

**Plaintiff,**

**vs.**

**AZDEL, INC. RETIREMENT PLAN,**

**Defendant.**

**ORDER**

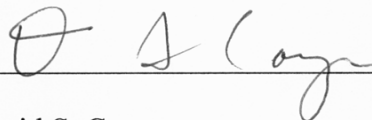
**THIS MATTER** is before the Court on “Plaintiff’s Motion for Permission to Conduct [Early] Discovery” (document #12). In the subject Motion, Plaintiff sought leave to conduct discovery during the pendency of Defendant’s “Partial Motion to Dismiss” (document #5).

On March 1, 2011, the Honorable Richard L. Voorhees granted Defendant’s Partial Motion to Dismiss. Accordingly, “Plaintiff’s Motion for Permission to Conduct [Early] Discovery” (document #12) is **DENIED AS MOOT**.

The parties are **ORDERED** to conduct and certify the Initial Attorneys’ Conference as required by the Local Rules.

**SO ORDERED.**

Signed: March 7, 2011



David S. Cayer  
United States Magistrate Judge

